

Before the Board of Zoning Adjustment, D. C.

Application No. 11766 of Hessick Investment Corporation for area variances from the lot area and width requirements of Sections 3301.1 of the Zoning Regulations, to permit the construction of two semi-detached dwellings, as provided by Section 8207.11 of the regulations in the R-2 Zone, at the premises 5366 and 5368 Hayes Street, N. E., known as Lots 28, 29 in Square 5208.

HEARING DATE: November 20, 1974

DECISION DATE: January 21, 1975

FINDINGS OF FACT:

1. In order to construct the proposed semi-detached dwellings the applicant requires a variance of 665 square feet from the lot area requirement at 5368 Hayes Street, N. E.
2. Both of the proposed dwellings require a 5' variance from the lot width requirement of the R-2 zone.
3. Based upon the plan submitted with this application, the Board finds that the proposed dwellings, would not be built uniformly in line with dwellings now existing at 5357 and 5355 Hayes Street, N. E., thereby, creating a situation where a sidewalk could not, in the future, be placed uniformly in front of the properties which are located along the same side of the street as the subject property.
4. Opposition was registered to this application in the form of a letter of record.
5. The applicant asserted a hardship for the requested variances, stating, that it is feasible for development to build two (2) houses instead of one (1) house and that is the reason the subject property has been vacant for many years.
6. The applicant also stated as a basis for the relief requested herein, the fact that the lots are irregular in shape.

CONCLUSIONS OF LAW AND OPINION:

Based upon the findings of fact and the record, the Board is of the opinion, that proposed plans for the two single family dwellings would create an objectionable condition to neighboring property because it would render it impossible to lay a sidewalk uniformly down Hayes Street, N. E. in the block where the dwellings are proposed. Although, the lots involved herein have an irregular shape, the question before the Board is the area of the lots which is substandard.

The Board concludes that the granting of these variances, which indicate that the subject property does not come within providing 80% of the required lot area in the R-2 Zone, would substantially impair the meaning and intent of the Zoning Regulations.

ORDERED:


That the above application be DENIED.

VOTE:

5-0

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED By:

  
JAMES E. MILLER  
Secretary to the Board

FINAL DATE OF ORDER: **MAY 15 1975**